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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,302	11/14/2000	Christopher J. Smith	3660P021X	8621
7590	04/10/2006		EXAMINER	
Lester J. Vincent Blakely, Sokoloff, Taylor, & Zafman LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025			KARMIS, STEFANOS	
			ART UNIT	PAPER NUMBER
			3624	
DATE MAILED: 04/10/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/712,302	<b>Applicant(s)</b> SMITH, CHRISTOPHER J.	
	<b>Examiner</b> Stefano Karmis	<b>Art Unit</b> 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-16 and 18-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-16 and 18-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The following communication is in response to Applicant's amendment filed 17 January 2006.

#### ***Status of Claims***

2. Claims 1 and 16 have been currently amended. Claim 31 is newly added. Claims 2 and 17 have been canceled. Claims 3-15 and 18-30 are originally filed. Therefore claims 1, 3-16 and 18-31 are pending.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 3-16 and 18-31 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1, 3-16 and 18-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Auto Lease Shopping Now Made Easier, Consumer Research Magazine (hereinafter CRM) in view of Walker et al. (hereinafter Walker) U.S. Patent 5,794,207.

Regarding claims 1, 16 and 31, CRM teaches a method to transform bids in an auction, comprising: receiving a request describing an item that a buyer wish to purchase or lease (page 1, bottom); presenting the requested item to a plurality of sellers supplying a plurality of items including the requested item, the plurality of sellers being potential seller bidders for bidding the requested item (page 1, bottom and page 2, top); receiving a first bid having a first value and a first unit of measurement from a first seller bidder, the first seller bidder being one of the plurality of the seller bidders, wherein the first value represents at least a monthly lease payment for leasing the requested item (page 2, top); receiving a second bid having a second value and a second unit of measurement from a second seller bidder different than the first seller bidder, the second seller bidder being one of the plurality of the seller bidders, wherein the second value represents at least a purchase price for purchasing the requested item (page 2, top); transforming said first and second values to third and forth values, respectively, having a standard unit of

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measurement, wherein third value represents a total payment for leasing the requested item over a predetermined period of time, wherein the fourth value represents a total payment for purchasing the requested item (page 2, top); and presenting the third value and the forth value to the buyer such that the buyer is able to compare total costs of leasing or purchasing the requested item in order to make a decision on whether the requested item should be purchased or leased (page 2, bottom). CRM fails to teach that the bidding is cone over a computer network. Walker teaches a network for buyer-driven conditional purchase offers in which a buyer, seller and central controller communicate over a network (column 11, line 53 thru column 12, line 8). The network is made up of processors and databases necessary for communication (column 11, line 53 thru column 12, line 8). Walker teaches that such a system can implemented online or offline (column 15 and column 23). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of CRM and include the teachings of Walker and have the communication between the parties be over a network, with the use of a processor because it provides a more modern and efficient way of communication between members attempting to enter into a financial relationship

Claims 3 and 18, determining a first transformation factor for said first value; determining a second transformation factor for said second value; and transforming said first value using said first transformation and said second value using said second transformation factor (page 2, bottom).

Claim 4, 5, 19 and 20, CRM fails teach a linear transformation for each value having at least one of a multiplicative adjustment and an additive adjustment. Official Notice is taken that linear transformation is old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of CRM and Walker and include a linear transformation because it is an efficient manner to show the total cost that CRM is trying to provide to a purchaser so that the buyer can make an informed decision.

Claims 6 and 21, searching a look-up table for said first and second transformation factors; and retrieving said first and second transformation factors in accordance with said search (page 2, bottom).

Claims 7 and 22, identifying a first set of transformation variables for said first value; determining a first transformation function to derive said standard unit of measurement using said first value and said first set of transformation variables; receiving a value for each of said first set of transformation variables; and determining said first transformation factor using received values and said first transformation function (page 2, bottom).

Claims 8 and 23, the first set of transformation variables comprise at least one of a group comprising tax rate, a depreciation model, a book value life, a cost of debt, a cost of capital, risk factors based on different leasing plans, inception costs and exit costs (page 2, bottom).

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Claims 9 and 24, identifying a second set of transformation variables for said first value; determining a second transformation function to derive said standard unit of measurement using said second value and said second set of transformation variables; receiving a value for each of said second set of transformation variables; and determining said second transformation factor using received values and said second transformation function (page 2, top and bottom).

Claims 10 and 25, the second set of transformation variables comprise at least one of a group comprising tax rate, a depreciation model, a book value life, a cost of debt, a cost of capital, risk factors based on different leasing plans, inception costs and exit costs (page 2, top and bottom).

Claims 11 and 26, the standard unit of measurement is a buyer comparative bid parameter (page 2, top).

Claims 12 and 27, CRM fails to specify calculating a net present value. Official Notice is taken that net present value calculations are old and well known in the financial arts. Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of CRM and Walker and include a net present value calculation because it provides information desirable when deciding between different options in a financial transaction.

Claims 13 and 28, comparing said third value and said fourth value; and ranking said third value with respect to said fourth value in accordance with said comparison (page 2, bottom).

Claims 14 and 29, displaying said ranking for a buyer (page 2, top and bottom).

Claims 15 and 30, detransforming said third value to a fifth value having said second unit of measurement, and said fourth value to a sixth value having said first unit of measurement; and sending said fifth value to said second bidder and said sixth value to said first bidder (page 2, bottom).

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted  
Stefano Karmis  
28 March 2006



HANI M. KAZIMI  
PRIMARY EXAMINER